

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

WILHELMUS F.J. VERHAEGH ET AL

NL 000357

Serial No.

Group Art Unit

Filed: CONCURRENTLY

Ex.

Title: METHOD OF DETERMINING A SCHEDULE, SCHEDULER AND SYSTEM

Commissioner for Patents  
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Sir:

Prior to calculation of the filing fee and examination, please  
amend the above-identified application as follows:

IN THE CLAIMS

Please amend the claims as follows:

3. (amended) A method as claimed in claim 1, further comprising  
the step of

determining whether any violation of the constraints has  
occurred, and if so,

determining at least one of a new relative starting  
time for a task (301-308), a new relative ending time for a task

(301-308), and a new assignment of a resource (101-103, 109-113) to a task (301-308); and

executing step (c).

5. (amended) A method as claimed in claim 2, where the step of determining for each window ( $w_0, \dots, w_{15}$ ) a task processing speed for each task (301-308) comprises solving a linear programming problem.

8. (amended) A scheduler (100) as claimed in claim 6, being arranged to

determine whether any violation of the constraints has occurred, and if so, to

determine at least one of a new relative starting time for a task (301-308), a new relative ending time for a task (301-308), and a new assignment of a resource (101-103, 109-113) to a task (301-308); and

activate the timing means (203).

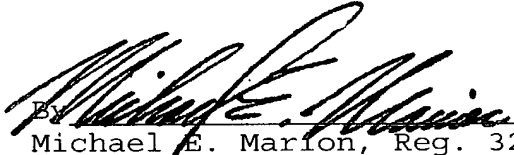
10. (amended) A system having a scheduler (100) as claimed in claim 6, and a plurality of resources (101-103, 109-113), the system being arranged to execute the tasks (301-308) on said plurality of resources (101-103, 109-113) according to the schedule (205) obtained from the scheduler (100).

REMARKS

The foregoing amendments to the claims were made solely to avoid filing the claims in the multiple dependent form so as to avoid the additional filing fee.

The claims were not amended in order to address issues of patentability and Applicants respectfully reserve all rights they may have under the Doctrine of Equivalents. Applicants furthermore reserve their right to reintroduce subject matter deleted herein at a later time during the prosecution of this application or continuing applications.

Respectfully submitted,

  
By Michael E. Marion, Reg. 32,266  
Attorney  
914) 333-9641

APPENDIX

3. (amended) A method as claimed in claim ~~1-or-2~~, further comprising the step of

determining whether any violation of the constraints has occurred, and if so,

determining at least one of a new relative starting time for a task (301-308), a new relative ending time for a task (301-308), and a new assignment of a resource (101-103, 109-113) to a task (301-308); and

executing step (c).

5. (amended) A method as claimed in claim ~~2-or-4~~, where the step of determining for each window ( $w_0, \dots, w_{15}$ ) a task processing speed for each task (301-308) comprises solving a linear programming problem.

8. (amended) A scheduler (100) as claimed in claim ~~6-or-7~~, being arranged to

determine whether any violation of the constraints has occurred, and if so, to

determine at least one of a new relative starting time for a task (301-308), a new relative ending time for a task

(301-308), and a new assignment of a resource (101-103, 109-113) to a task (301-308); and

activate the timing means (203).

10. (amended) A system having a scheduler (100) as claimed in claim 6, ~~7, 8 or 9~~, and a plurality of resources (101-103, 109-113), the system being arranged to execute the tasks (301-308) on said plurality of resources (101-103, 109-113) according to the schedule (205) obtained from the scheduler (100).